

"Alpha Tocopherol Nepera (Vitamin E) U. S. P. Nepera Chemical Co. Inc. Yonkers, N. Y. Manufacturing Chemists"; (bottle) "Alpha Tocopherol Nepera (Vitamin E) U. S. P. Acetate Nepera Chemical Co. Inc., Yonkers, N. Y."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of a portion of the *alpha-tocopheryl acetate* differed from that which it purported and was represented to possess in that it purported and was represented to contain 99.4 percent alpha-tocopheryl acetate, whereas it contained less than that amount.

Further adulteration, Section 501 (d) (2), a product containing less than 95 percent of alpha-tocopherol had been substituted for a product containing not less than 95 percent of alpha-tocopherol, which the article designated as "Alpha Tocopherol Nepera" purported and was represented to be; and a product containing little or no alpha-tocopheryl acetate had been substituted for a portion of the article which purported to be and was represented as *alpha-tocopheryl acetate*.

DISPOSITION: March 5, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$3 and the individual \$1,500.

4330. Adulteration of halazone tablets. U. S. v. 67 Cases * * *. (F. D. C. No. 36171. Sample No. 52637-L.)

LIBEL FILED: December 11, 1953, Eastern District of New York.

ALLEGED SHIPMENT: On or about November 28, 1951, by the City Chemical Corp., from Fort Lawton, Wash., to Jersey City, N. J., and from there transported to Brooklyn, N. Y., on or about September 9, 1953.

PRODUCT: 67 cases, each containing 300 bottles, of *halazone tablets* at Brooklyn, N. Y.

LABEL, IN PART: (Bottle) "100 Tablets (or 100 Water Purification Tablets) * * * Halazone N. N. R. Abbott * * * Each tablet contains 0.004 Gm. ($\frac{1}{16}$ grain) of Halazone with sodium carbonate, sodium chloride and boric acid."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Halazone Tablets," a drug the name of which is recognized in the National Formulary, an official compendium, and its strength differed from the official standard since the article contained less than 90 percent of the labeled amount of halazone, the minimum permitted by the standard.

DISPOSITION: March 3, 1954. Default decree of condemnation and destruction.

4331. Adulteration and misbranding of adhesive bandages. U. S. v. American White Cross Laboratories, Inc., and Irving Tow. Pleas of guilty. Fine of \$1,600 against corporation and \$1,600 against individual. (F. D. C. No. 33770. Sample Nos. 37766-L, 37800-L, 37801-L, 37808-L.)

INFORMATION FILED: May 6, 1953, Southern District of New York, against American White Cross Laboratories, Inc., New Rochelle, N. Y., and Irving Tow, general manager of the corporation.

ALLEGED SHIPMENT: On or about December 5, 1951, January 24, and April 21, 1952, from the State of New York into the State of New Jersey.

LABEL, IN PART: (Box) "White Cross Sterile Waterproof 10 Adhesive Bandages * * * Plain Pad [or "Mercurochrome Pad"]."

NATURE OF CHARGE: Adulteration, Section 501 (b), the article purported to be and was represented as "Adhesive Absorbent Bandage," a drug the name of

which is recognized in the United States Pharmacopeia, an official compendium, and the quality and purity of the article fell below the official standard since the article was not sterile but was contaminated with viable micro-organisms. Misbranding, Section 502 (a), the label statement "Sterile" was false and misleading.

DISPOSITION: February 25, 1954. The defendants having entered pleas of guilty, the court fined the corporation \$1,600 and the individual \$1,600.

4332. Adulteration and misbranding of rubber prophylactics. U. S. v. 4,995 Gross * * *. (F. D. C. No. 33352. Sample Nos. 37686-L, 37687-L.)

LABEL FILED: On or about July 25, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about February 29 and March 18 and 25, 1952, by the Allied Latex Corp., from East Newark, N. J.

PRODUCT: 4,995 gross of *rubber prophylactics* at New York, N. Y. Examination of 288 prophylactics showed that 4.8 percent were defective in that they contained holes.

LABEL, IN PART: (Carton) "Stags Prophylactics One Gross."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess.

Misbranding, Section 502 (a), the label designation "Prophylactics" was false and misleading as applied to an article containing holes.

DISPOSITION: April 23, 1954. Goodwear Rubber Co., Inc., New York, N. Y., claimant, having filed an answer and later withdrawn its claim and answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

4333. Misbranding of Sacrasol capsules. U. S. v. Edwin K. Osmun (Physicians' Ethical Products). Plea of not guilty. Tried to the court. Verdict of guilty. Fine of \$1,000, plus costs. (F. D. C. No. 32752. Sample No. 75706-K.)

INFORMATION FILED: July 10, 1952, Northern District of Illinois, against Edwin K. Osmun, trading as Physicians' Ethical Products, Chicago, Ill.

ALLEGED SHIPMENT: On or about March 10, 1950, from the State of Illinois into the State of Iowa.

LABEL, IN PART: (Bottle) "Sacrasol Active Ingredients Syzygium Vesicaria Rhus. Aromatic Apis Virus Lithium Benzoate Phosphoric Acid (Dilute) Uranium Nitricum 1/1000 Gr. per Cap. Thiamin Hydrochloride."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on circulars entitled "Sacrasol in Diabetes Mellitus" and "Thiamin Chloride Essential For The Disposal of Starches and Sugars," on a card entitled "Announcement," and in a letter dated March 8, 1950, which circulars, card, and letter accompanied the article, were false and misleading. The statements represented and suggested and created the impression that the article was an adequate and effective treatment for diabetes, itching skin, excessive thirst, and abnormal appetite associated with diabetes; that the article was an adequate and effective treatment for preventing toxic build-up in the liver or kidneys;

*See also Nos. 4328, 4331, 4332.